

**Sec. 23-108. Liability for extra costs incurred by city; charge for excess BOD or suspended solids.**

(a) *Liability for costs associated with violation.* Any person who violates any provision of this article, or any condition or limitation of a permit or plan approval related thereto, shall be financially responsible and liable to the city, in addition to normal service charge and surcharges for industrial wastes, for all costs incurred by the city associated with the violation of this article, including but not limited to the following:

- (1) Costs of mileage and labor incurred in detecting and correcting the violation.
- (2) Laboratory analysis costs associated with detecting and correcting the violation.
- (3) Additional treatment costs caused by the violation or associated with detecting and correcting the violation.
- (4) Repair and/or replacement of any part of the sewerage system damaged by the violation.
- (5) Any liability, damages, fines or penalties incurred by the city as a result of the violation.
- (6) Other costs as are associated with the detecting and correcting of the violation.

(b) *Surcharge for excess BOD or suspended solids.* If any person discharges into the sanitary sewerage system a waste containing BOD concentration or suspended solids in excess of 300 milligrams per liter, then such person shall pay an additional cost according to rates determined by the city council. This monthly surcharge will be assessed on each pound of BOD and each pound of suspended solids in excess of 300 milligrams per liter as follows:

TABLE INSET:

	BOD Rate	Suspended Solids Rate
Effective July 1, 1998	\$0.08	\$0.06
Effective July 1, 1999	0.11	0.08
Effective July 1, 2000	0.14	0.10
Effective July 1, 2001	0.17	0.12
Effective July 1, 2002	0.20	0.14

(c) *Liability for additional expense in handling and treatment of waste.* If any person discharges into the sanitary sewerage system a waste which, because of its particular or unusual character, imposes an unusual burden on the sanitary sewerage system and the waste treatment facilities, and causes the city to incur additional expenses in the handling (conveying) and treatment of the waste by reason of (but not limited to) provision of additional personnel, provision of additional equipment or structures, increase in operating costs, and decrease in efficiency of treatment processes required by and resulting from the handling and treatment of the waste, then such person shall be charged for such additional expense over and above the other charges set forth in this section. The approving authority shall determine whether any person is causing the city to incur such additional expense and, if so, the amount of such additional expense.

(Code 1979, § 5-3007; Ord. No. 98-58, 8-19-98)